

NO: UWY-CV18-6046437 S	:	SUPERIOR COURT
SHERLACH, WILLIAM	:	JUDICIAL DISTRICT
	:	OF FAIRFIELD
v.	:	AT BRIDGEPORT, CONNECTICUT
JONES, ALEX, ET AL.	:	JUNE 18, 2019
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LAFFERTY, ERICA, ET AL.	:	JUDICIAL DISTRICT
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BEFORE THE HONORABLE BARBARA N. BELLIS, JUDGE  
E X C E R P T

A P P E A R A N C E S :

Representing the Plaintiffs:

ATTORNEY CHRISTOPHER MATTEI  
ATTORNEY WILLIAM BLOSS  
ATTORNEY JOSHUA KOSKOFF  
ATTORNEY MATTHEW BLUMENTHAL  
Koskoff, Koskoff & Bieder, PC  
350 Fairfield Avenue  
Bridgeport, CT 06604

Representing the Defendants Alex Jones; Infowars, LLC; Free Speech Systems, LLC; Infowars Health, LLC; and Prison Planet TV, LLC:

ATTORNEY ZACHARY REILAND  
ATTORNEY NORMAN PATTIS  
Pattis & Smith, LLC  
383 Orange Street  
1<sup>st</sup> Floor  
New Haven, CT 06511

Representing the Defendant Cory Sklanka:

ATTORNEY KRISTAN JAKIELA  
Regnier, Taylor, Curran & Eddy  
100 Pearl Street  
14<sup>th</sup> Floor  
Hartford, CT 06103

Representing the Defendant Midas Resources, Inc.:

ATTORNEY STEPHEN BROWN  
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Recorded By:  
Colleen Birney  
Transcribed By:  
Colleen Birney  
Court Recording Monitor  
1061 Main Street  
Bridgeport, CT 06604

1     **(EXCERPT)**

2             THE COURT: All right. So I'm going to start  
3     with the discovery issues.

4             Putting aside the fact that the documents the  
5     Jones defendants did produce contained child  
6     pornography, putting aside the fact that the Jones  
7     defendants filed with the Court a purported affidavit  
8     from Alex Jones that was not in fact signed by Alex  
9     Jones, the discovery in this case has been marked  
10    with obfuscation and delay on the part of the  
11    defendants, who, despite several Court-ordered  
12    deadlines as recently as yesterday, they continue in  
13    their filings to object to having to, what they call  
14    affirmatively gather and produce documents which  
15    might help the plaintiffs make their case. Despite  
16    over approximately a dozen discovery status  
17    conferences and several Court-ordered discovery  
18    deadlines, the Jones defendants have still not fully  
19    and fairly complied with their discovery obligations.

20            By way of one example, on June 10<sup>th</sup>, counsel for  
21    the Jones defendants stated in their filing that Alex  
22    Jones' cellphone had only been searched for emails,  
23    not for text messages or other data. In their June  
24    17 filing, defendants still try to argue with respect  
25    to the text messages that there is little to no  
26    personal nexus between the text messages and the  
27    litigation, and that the plaintiffs are simply prying

1           into the Alex Jones defendants' personal affairs.  
2           But the discovery objections were ruled on by the  
3           Court months ago and the defendants still have not  
4           fully and fairly complied.

5           Also, as another example, the Google Analytics  
6           data was ordered to be produced. And this is a  
7           Google Analytics account that had to be created and  
8           set up by and utilized, according to the testimony,  
9           by some of the Jones defendants. Only a 35-page  
10          report was produced. In their June 17 filing, the  
11          Jones defendants apparently say that they don't  
12          possess the data themselves and they should not have  
13          to get it from Google because Google holds Alex Jones  
14          in contempt. And anything that Google generated  
15          would be, and I quote, inherently unreliable,  
16          unquote. And again, the Jones defendants miss the  
17          mark. They were ordered to produce that data.

18          Our rules of practice require a party to produce  
19          materials and information, quote, within their  
20          knowledge, possession, or power; and it is clearly  
21          within the power of the Jones defendants to obtain  
22          the information from Google if, as they claim, they  
23          don't possess it themselves. So their objection is  
24          too late and their failure to fully and fairly comply  
25          is inexcusable.

26          So in short, we've held approximately a dozen  
27          discovery status conferences. The Court's entered

1           discovery deadlines, extended discovery deadlines,  
2           and discovery deadlines have been disregarded by the  
3           Jones defendants, who continue to object to their  
4           discovery and failed to produce that which is within  
5           their knowledge, possession, or power to obtain. And  
6           again, among the documents that they did produce  
7           contained images of child pornography.

8           I also note that the Jones defendants have been  
9           on notice from this Court both on the record and in  
10          writing in written orders that the Court would  
11          consider denying them their opportunity to pursue a  
12          special motion to dismiss if the continued  
13          noncompliance continued.

14          Now with respect to the plaintiffs' request for  
15          immediate review and the Jones defendants' objections  
16          thereto, as I've said, I've reviewed the -- both  
17          broadcasts several times. The law is clear in  
18          Connecticut and elsewhere, for that matter, that the  
19          Court has authority to address out-of-court bad-faith  
20          litigation misconduct where there is a claim that a  
21          party harassed or threatened or sought to intimidate  
22          counsel on the other side. And indeed, the Court has  
23          the obligation to ensure the integrity of the  
24          judicial process and functioning of the Court.

25          So if Mr. Jones truly believed that Attorney  
26          Mattei or anyone else in the Koskoff firm planted  
27          child pornography trying to frame him, the proper

1 course of action would be to contact the authorities  
2 and/or to have your attorney file the appropriate  
3 motions in the existing case. Just by way as an  
4 example, the Jones defendants here could have filed a  
5 motion asking that the lawsuits be dismissed for that  
6 reason.

7 What is not appropriate, what is indefensible,  
8 unconscionable, despicable, and possibly criminal  
9 behavior is to accuse opposing counsel, through a  
10 broadcast, no less, of planting child pornography,  
11 which is a serious felony. And to continue with the  
12 accusations in a tirade or rant for approximately 20  
13 minutes or so.

14 Now, because I want to make a good record for  
15 appeal, I'm going to refer to certain portions of the  
16 transcript of the website. And I would note that Mr.  
17 Jones refers to Attorney Mattei as a Democratic-  
18 appointed US attorney, holds up on the camera  
19 Attorney Mattei's Wikipedia page which indicates that  
20 he is a Democrat, and puts the camera on the website  
21 page, which looks like it's from the law firm.

22 Alex Jones states: what a nice group of  
23 Democrats. How surprising, what nice people. Chris  
24 Mattei, Chris Mattei. Let's zoom in on Chris Mattei.

25 Oh, nice, little Chris Mattei. What a good  
26 American. What a good boy. You'll think you'll put  
27 me on.

1           Now, the transcript doesn't reflect this, but  
2           when I listened to the broadcast, I heard, I'm going  
3           to kill. Now, that's not in the transcript, but that  
4           is my read and understanding and what I heard in the  
5           broadcast.

6           He continues to say: anyways, I'm done. Total  
7           war. You want it, you got it. I'm not into kids  
8           like your Democratic Party, you cocksuckers, so get  
9           ready.

10          And during this particular tirade, he slammed  
11          his hand on Attorney Mattei's picture, which was on  
12          the camera at that point.

13          He continues on shortly thereafter: the point  
14          is, I'm not putting up with these guys anymore, man,  
15          and their behavior because I'm not an idiot. They  
16          literally went right in there and found this hidden  
17          stuff. Oh, my god, oh, my god, and they're my  
18          friends. We want to protect you now, Alex. Oh,  
19          you're not going to get into trouble for what we  
20          found. F you, man, F you to hell. I pray God, not  
21          anybody else, God visit vengeance upon you in the  
22          name of Jesus Christ and all the saints. I pray for  
23          divine intervention against the powers of Satan.

24          I literally would never have sex with children.

25          I don't like having sex with children. I would  
26          never have sex with children. I am not a Democrat.  
27          I am not a Liberal. I do not cut children's genitals

1 off like the left does.

2 Further on, referring to the person who sent the  
3 child porn, he says: I wonder who the person of  
4 interest is. Continues to say: oh, no. Attorney  
5 Pattis says: look, are you showing Chris Mattei's  
6 photograph on here; and the record should reflect  
7 that when Alex Jones said I wonder who the person of  
8 interest is, Attorney Mattei's photo was on the  
9 camera. Again, referring to who planted the child  
10 pornography. Then Alex Jones says: oh, no, that was  
11 an accidental cut. He's a nice Obama boy. He's a  
12 good -- then Attorney Pattis cuts him off. Attorney  
13 -- Alex Jones goes on to say: he's a white Jew-boy  
14 that thinks he owns America.

15 Later on in the broadcast, Alex Jones says,  
16 quote, the bounty is out, bitches. And you know your  
17 feds, they're going to know you did it. They're  
18 going to get your ass you little dirt bag. One  
19 million, bitch, it's out on your ass.

20 Shortly thereafter, he says: a million dollars  
21 is after them. So I bet you'll sleep real good  
22 tonight, little jerk, because your own buddies are  
23 going to turn you in and you're going to go to  
24 prison, you little white Jew-boy jerk-off son of a  
25 bitch. I mean, I can't handle them. They want more,  
26 they're going to get more. I am sick of these  
27 people, a bunch of chicken-craps that have taken this

1 country over that want to attack real Americans.

2 And those are just portions of the transcript  
3 that the Court relied on. The Court has no doubt  
4 that Alex Jones was accusing Plaintiffs' Counsel of  
5 planting the child pornography.

6 Again, these are just a few examples where Jones  
7 either directly harasses or intimidates Attorney  
8 Mattei, repeatedly accuses Plaintiffs' Counsel of  
9 requesting the metadata so they could plant the child  
10 pornography, continues to call him a bitch, a sweet  
11 little cupcake, a sack of filth, tells him to go to  
12 hell, and the rant or tirade continues with frequent  
13 declarations of war against Plaintiffs' Counsel.

14 I reject the Jones defendants' claim that Alex  
15 Jones was enraged. I disagree with Attorney Pattis's  
16 representation here. I find based upon a review of  
17 the broadcast clips that it was an intentional,  
18 calculated act of rage for his viewing audience. So  
19 -- and I note as Plaintiffs' Counsel pointed out,  
20 that Alex Jones was the one who publically brought  
21 the existence of the child pornography to light on  
22 his Infowars show.

23 But putting that aside, putting aside whether it  
24 was -- he was in a real rage or whether he was acting  
25 out rage, it doesn't really matter for the purposes  
26 of the discussion whether he was truly enraged or  
27 not, because the 20-minute deliberate tirade and



1 harassment and intimidation against Attorney Mattei  
2 and his firm is unacceptable and sanctionable. And  
3 the Court will sanction here.

4 So for all these reasons, the Court is denying  
5 the Alex Jones defendants the opportunity to pursue  
6 their special motions to dismiss and will award  
7 attorney's fees upon further hearing and the filing  
8 of affidavits regarding attorney's fees. I would  
9 note that the attorney's fees will be related only to  
10 the conduct relating to the child pornography issue  
11 and not for the discovery failures.

12 At this point, I decline to default the Alex  
13 Jones defendants, but I will -- I don't know how  
14 clearly I can say this. As this case progresses, and  
15 we will get today before you leave a trial date in  
16 the case now and a scheduling order. As the  
17 discovery in this case progresses, if there is  
18 continued obfuscation and delay and tactics like I've  
19 seen up to this point, I will not hesitate after a  
20 hearing and an opportunity to be heard to default the  
21 Alex Jones defendants if they from this point forward  
22 continue with their behavior with respect to  
23 discovery.

24 So I'm going to call other matters now. I'm  
25 going to ask that you -- that there not be any  
26 conversations in the courtroom because I do have  
27 other matters to call. I'm going to ask Counsel to

1 work on a scheduling order, pick a trial date. I am  
2 going to need to see it before you leave. So if you  
3 could maybe do that in another room, and then I'll  
4 come back on the record for that.

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6 \*\*\*\*\*

7 (END OF EXCERPT)

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16 THE HONORABLE BARBARA N. BELLIS, JUDGE  
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C E R T I F I C A T I O N

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of Fairfield, at Bridgeport, Connecticut, before the Honorable Barbara N. Bellis, Judge, on the 18<sup>th</sup> day of June, 2019.

Dated this 18<sup>th</sup> day of June, 2019, in Bridgeport, Connecticut.

  
 \_\_\_\_\_  
 Colleen Birney  
 Court Recording Monitor